



City of Carmel

CARMEL PLAN COMMISSION SPECIAL STUDIES COMMITTEE

AUGUST 3, 2004

Minutes

REPRESENTING THE CITY OF CARMEL

Jerry Chomanczuk

Wayne Haney

Mark Ratterman

Steve Stromquist

Madeline Torres

REPRESENTING THE DEPARTMENT

Michael Hollibaugh

Jon Dobosiewicz

OF COUNSEL

John Molitor

1. Docket No. 04050037 ADLS Amend: Thrifty Car Sales

Filed by Thrifty Car Sales.

The applicant seeks approval for a wall sign. The site is located at 3400 East 96th Street. The site is zoned B-3/Business.

Steven Schwartz represented Thrifty Car Sales. There was discussion between the Committee, the Department, and Petitioner of the blue stripe replacing the red one. The Blue stripe was approved in April 2004. The Department does not have a Photometric Plan and modifications continue on the site. The Petitioner has received notice to remove their sign and have not complied. The Department requests Tabling until the next Committee meeting September 7, 2004 at 7:00 p.m.

Petitioner: I believe we are in compliance with your requests. We have addressed every issue.

The Committee is of the opinion that all requirements have been met except the Photometric Plan. The Committee requests that a Photometric Plan be sent to the Department for approval.

Mark Rattermann made Motion to approve Docket No. 04050037 ADLS Amend, Thrifty Car Sales, subject to Department approval of a Photometric Plan, **Madeleine Torres** seconded, motion carried: Five (5) in favor, zero (0) opposed.

2. Docket No. 04050053 DP/ADLS: North Meridian Medical Pavilion
Filed by Tom Eagley of Lauth Property Group.

The applicant seeks approval for a medical/office building. The site is located northwest of Old Meridian Street and Meridian Street (US 31). The site is zoned B-3 and B-6/Business, within the US 31 Overlay Zone on 9.20 acres.

Mike Cook, attorney, One Indiana Square, Suite 1800, Indianapolis was present representing the Lauth Property Group and the property owner, Regency Realty. Cindy Pyle, Williams Creek Farms homeowner, and Ed Leer, 12267 Creekwood Drive, Williams Creek Farms, were present representing Williams Creek Farms; Zeff Weiss, attorney with Ice Miller was present representing Greg Small, adjacent property owner.

Petitioner: The proposal is for the construction of a medical office building containing 88,902 square feet on the west side of Meridian Street, approximately 12202 North Meridian Street, and contains 9.02 acres. Currently, the property has two separate zoning classifications. Approximately two-thirds of the southern portion of the site is currently zoned B-6 and approximately one-third of the site to the north is zoned B-3. The petitioner is seeking ADLS and Development Plan approval for this site, located in the US 31 corridor. No proposed variances or waivers will be sought.

The Three (3)-story building along US 31 will contain approximately 88,000 square feet on the southeast portion of the site. The proposed entrance to the project is located in the southeast corner of the site; the parking numbers 378 spaces. The building will be constructed of a buff/cream and reddish-brown color, pre-cast, architectural metal and glass panels. Enclosures for the dumpsters will match the proposed building. We are also proposing a low, single, monument sign at the entrance with individual letters on the east facia of the building facing Meridian Street. A frontage view of Meridian Street shows the parapet wall at approximately forty-nine feet (49') to the top of the tower, and fully encloses the rooftop monitoring equipment at fifty-seven point three feet (57.3'). View four shows the parking to the west of the building.

Landscaping has been a subject of discussions with the Department to adopt a tree preservation area to the northwest corner of the site and one on the southeast corner of the site; we also plan to conserve an area of trees on the north end of the site. Landscape islands are now proposed in the configuration as shown—they are larger and alternating at the end of each row of parking space. The total green space ratio is 15% and the total green area provided is approximately 27,440 square feet. The area along the west of the site is proposed for water retention. Utilities serving the site are Indianapolis Water Company and Clay Regional Waste, sewer. At the time the petitioner appeared before the Plan Commission, issues were raised concerning the extension

of Illinois Street, the exact location of which has not yet been determined. The site contains 9.07 acres and is located next to the Ritz Charles and ADT, which are immediately to the east of Spring Lake Subdivision. There is an individual office building and shopping center towards Carmel Drive.

The second diagram represents an extension of Illinois Street based upon an alternative that from an engineering perspective was considered by the City as the most desirable location for the extension of Illinois Street between 116th and Carmel Drive. On the site plan, the location of the Illinois Street extension has been super-imposed and is a location that is acceptable to Lauth and would also preserve the approximate lot lines. This issue was a part of the Plan Commission proceeding and not to be considered as a part of this proposal. The plot plan before the Committee does not touch any portion of the proposed street and stands on its own in respect to one building. The proposal is for architectural design, lighting, landscaping, and signage with respect to that parcel and it is proposed. The petitioner has also had discussions with the attorney who is representing the majority of the homeowners in Williams Creek Farms Estates.

The third proposal is similar to the first except that it dips down by the “Greg Small” parcel showing a mythical solution to the Illinois Street situation. We have met with the homeowners of Williams Creek to discuss this plan. We are proposing to install parking lot lighting consisting within the rows with a total of sixteen (16) twenty-two feet (22’) full cut fixtures on eight (8) poles that are a maximum total of twenty-five feet (25’) with extending arms on each side. We will limit the hours of illumination in the parking lot and on the building. The shut off will be one (1) hour after closing or 10:00 p.m. Monday – Friday and weekends 8: 00 p.m. in order to minimize the impact on the residential neighbors. We will provide security lighting after hours.

Finally, we have been asked our intentions for the four residential lots to the north. Lauth has a contractual interest in three of the four lots to the south across from the site. Lauth has no contractual interest in the fourth lot that borders the “Small” property. Lauth is agreeable to a commitment that will limit the use for residential so that those lots would never seek to rezone or develop for commercial purposes.

Committee Chair: I would like to see a show of hands of remonstrators.

Two remonstrators:

Zeff Weiss, ICE MILLER: We are not necessarily opposed to this, however we are interested in the residential integrity. We believe this area is going to be expanded into more than one building. We are speculating this growth and want to protect the interests of the residents. Our issue is not with what is going on today but future. If there were only to be one building, it would probably be centered and development would occur around it. With the additional lots, parking is pushed to the west and abuts what will become Illinois Street—the main thoroughfare—after the City of Carmel or the State eliminates the access.

Mr. Small would like an understanding of a few issues. The variation on the road that shows a “dip” to the east by Mr. Small’s property—as soon as Clarian became a reality, we realized that Illinois Street may in fact come through and we were concerned as to how it would impact Mr. Small’s property. We discussed this matter and this is what came out of the discussion and we are very hopeful that that is what ultimately happens. We recognize that Mr. Cook and his client do not have control over it, but our goal is for two items. One is to bring this issue to the attention of the Plan Commission because, when the road goes through, the City of Carmel will have to write a check to all of the neighbors, including Mr. Small, and we would like to help minimize that check. The road would go on top of a very valuable house.

The second part is that by acquiring these lots, anticipating the second building, Lauth is anticipating finding a way to remove the restrictive covenants that are on the property that restrict commercial use, and provide the parking in support of a commercial building. Otherwise, this does not work without structured parking. The lighting and tree preservation also need to be addressed. We have asked for screening and they are agreeable. We would like a commitment regarding the hours of operation, and a commitment that utilizes the property to the west as residential with a buffer. When Illinois Street comes in, the buffer will be gone and the impact will be in Mr. Small’s backyard. We would also like a commitment to address the hours of operation. Please protect the whole subdivision to the west--not just Mr. Small’s property.

Ed Leer, Williams Creek Subdivision: Our neighborhood has no objection to the building. Other issues: The subdivision property abuts this property and Williams Creek. Our commitments say, “No property owner shall develop anything but residential and restricted to size”. We are opposed to Illinois Street coming close to our addition. We are in favor of moving it as far away from our subdivision east not west. We would like to see the dip extend all the way along the property lines, excluding none. Second, we would like to see more of a down lighting. We are satisfied with the timing of the off lighting. Third, we would oppose any type of cell or radio tower or any other type of tower.

The Department: We are satisfied with items 1 and 2, landscaping and lighting. The ground west of here is zoned residential. To rezone it would require a Use Variance and a new covenant for commercial development. The route of Illinois Street has been approved by Council and now will go for design; there is no timeline yet. The City would make efficient use of the property. If Lauth comes in to put a building in the future they will be in conformance with the ordinance. This petition stands on its own merit. It does not impact or negotiate a way to mitigate concerns that are not their concerns. I would not attach any kind of commitments to this. Item three: If you can address the lighting concerns, the light fixtures meet the ordinance height. Do we want shorter poles and more lights or taller poles and lower number of fixtures?

Petitioner: We made the conservation changes per Scott Brewer. The lighting spillover meets the distribution. We have never hidden our future plans for development. There is a second building proposed mirroring the first. We would then be required to acquire more parking. We know there are private covenants we need to deal with and we look forward to meeting with the

residents. We are about the 9.7 acres for development and we are not asking for variances or waivers.

Jerry Chomanczuk, Committee Chair: I would like to open for comments and questions from the Committee.

The Committee: What will Illinois Street do to the parking at Ritz Charles, ADT and the buildings south of ADT? There is no guaranteed access to the building. The access for this site and building is by a small frontage road only. This is a monster building on a frontage road. This is a disaster waiting to happen and will cause us to build Illinois.

More discussion from Committee members regarding the proposed Illinois Street extension, building access without Illinois Street, dumpster location and rezoning.

John Molitor, Legal Counsel: Public access is a key component. The City's Thoroughfare Plan does show the extension of Illinois Street.

The Department: They have examined the proposal and our expectation of what the State will do to the Highway. Our concern is what will happen to ADT and Ritz Charles when Illinois Street is developed. The Ordinance does say we are required to provide access to the other parcels. I think it has been the assumption that they would have the ability to get to Illinois Street after the State's improvements.

The Committee: There is concern about traffic patterns without Illinois Street being built today. It has been said by remonstrators that this building is "maxing out" the site with or without Illinois Street. We believe there is need for more reasonable discussion on this and therefore would like legal counsel to review this petition. To allow time for counsel review, the Committee would like to table until the next Committee meeting.

Petitioner: We are against a tabling.

Mark Ratterman made a Motion to **Table** to the next Special Studies Committee meeting September 7, 2004, seconded by **Steve Stromquist**. Motion carried: Four (4) in favor, one (1) opposed.

**3. Docket No. 04050048 DP Amend:
North Haven, Block D, lots 1-2: CP Morgan Buildings 2 & 3
Filed by Blair Carmosino of Duke Construction**

The applicant seeks approval to build two office buildings. The site is located at the northwest corner of 96th Street and Gray Road. The site is zoned R-5/Residence.

Blair Carmosino, Duke Construction and Don Centers were present on behalf of the petitioner.

The first presentation did not have the supplemental information. We have brought with us three (3) new photos of the building. We have made an amendment to the footprint into another configuration. The materials will remain the same. We are currently making resolution with Mr. Bottamiller on drainage. Both of the proposed office buildings will be occupied by C.P. Morgan; 244 parking spaces are proposed in accordance with the Ordinance.

Committee Chair: Does the Committee or Department have any further questions?

Mark Rattermann moved to recommend approval to the full Plan Commission, **Wayne Haney** seconded, Motion carried Five (5) in favor, zero (0) opposed.

4. Docket No. 04050028 DP/ADLS: Walnut Creek Marketplace
Filed by Mary Solada of Bingham McHale

The applicant proposes a retail center. The site is located northeast of 99th Street and Michigan Road/US 421. The site is zoned B-3/Business and B-2/Business within the US Highway 421 Overlay.

Mary Solada, Bingham McHale was present on behalf of Duke Realty. Also present: Cindy Schembre, Tom McLaughlin, Bridget Ferrin, Greg Snelling, Greg Ewing, Steve Fehribach.

The Petitioner: We have a number of people present here to respond to the staff comments as well as the neighborhood issues. Recapping July 20, we are proposing a Development Plan for a multi-tenant retail center on 41 acres immediately south of the Super Target. We picked up a wetlands area for drainage. Roughly 145,000 square feet retail center with four to five class “A” tenants along Michigan Road and nine “B” grade tenants.

There has been concern raised about the site lines of the buildings. We can prove minimal views of HVAC Units and rooftop monitoring equipment from the adjoining neighborhoods. If some one five feet in height looks into the back of our building from any property adjoining in Ashbrook and the retail center, they will see seven inches of the top of the HVAC units. We have agreed to build a fence to block truck docks and the back of the building.

Current zoning does allow retail. The entrance is on 99th Street. Commerce Drive to 96th Street and West 99th Street will extend behind Mayflower; ultimately that will create a large loop on Commerce Drive that connects to 99th Street. We have added caps to the buildings and offsets to the buildings for architectural relief. We would like to paint the service doors the same color as the brick, in keeping with the Georgian style.

The Department: We have two handouts from the North Augusta Homeowners Association and previous material from Ashbrook. We would like to review this at another meeting. There is an ordinance requirement that your area is not meeting and we will ask the BZA to deny the request as presented. We need a site plan showing the wetlands, ponds and gap areas.

The Petitioner: We have an exhibit for lighting fixtures. Per Scott Brewer, the landscaping requirement has been met along Michigan Road. We are adding fencing between Ashbrook and our development. How much detail do you want on the Transportation issues? INDOT is wanting a signal at 99th Street.

Committee: The Department will need time to identify their issues and get remonstrators on file.

David Small: We are requesting a shadowbox-type fence and buffering. Duke has agreed to the fence and we are still discussing trees. We have expressed concern about safety and the existence of the retention ponds in the wetlands area. We are also concerned about buffering and lighting.

Scott Weathers: Our concerns are stated in our letter. Although, the wetlands area may be developed later it is still part of the whole development. Our position is, we are beginning to believe we cannot trust the developer. Saying there is dense vegetation here is an over-statement. We are concerned about the truth issue in relation to the site lines of only the rooftop monitoring equipment from any backyard when they have not taken into consideration that we all live in two-story houses. We would like that addressed.

Larry Sinclair: We have concern about access to these ponds. All our homes are on well and septic along the back of the lots. We are concerned about disruption of this area and whether it will bring more flooding. We too are concerned about the view from our homes. We would like to see the fence and vegetation added to our side as well.

Beth Harvey: I have very young children and the lack of interest in the fence in our area is due to present vegetation and that the proposal for a shadowbox fence does not meet the quality of the homes in the area. We have concern about the amount of water in the retention area and with that come concerns of West Nile Virus and possible drowning. I did pen my concerns in the Spring Arbor letter that was sent. We would like to see a Cease and Desist Order on deforesting currently taking place.

The Committee Chair: We are going to close the public remonstrations.

The Department: Speedway service station is not a part of this development and the Department would like to see their access in relation to the 421 improvements. The BZA indicated insufficiencies with access to the site. We would also like to see the Traffic Report by John Myers.

John Myers, Traffic Engineer with HNTB referred to traffic impact guidelines for the Michigan Overlay and Ordinance Evaluation. Three reports: Original, Addendum; Report without right in/right out, without signal, without improvements, trips, assignment reasonability, capacity analysis, and synchronization of signals.

Studies do comply with the ordinance and calculations are accurate. With regard to the specific questions on background traffic growth rate—we do not like growth rate studies. You can look at trend lines for small, less aggressive growth. Another type is traffic, a three is fairly high and that is what we show here. What you are looking at is various trends by INDOT and trends for the last three years.

North of I-465, north of US 334, and north of 106th Street show a three percent growth rate. Michigan Road is already high volume. The Regional Scale is larger and after comparing the two, a three percent growth rate is accurate.

Committee Comments: We cannot read the graph. Road construction was when? This graph does not tell us anything. We are looking for traffic counts by INDOT. We are fearful for the traffic problems this development will bring. We would like to see the most current data next time.

The Department: We suggest Tuesday August 31, 2004 7:00 p.m. for a special Committee meeting. We would also like to see the traffic studies at that time. We want the Petitioner to come up with a resolution for the neighbors, all the neighbors. County is doing preliminary design on Commerce Drive. They are endeavoring to have construction on Commerce Drive before September 2004.

Committee Unanimous Consent: Table to the Special Studies Committee August 31, 2004 at 7:00 p.m.

5. Docket No. 04050046 ADLS: Greyhound Commons, Phase II - Fox & Hound
Filed by Blaine Paul of American Consulting, Inc.

The applicant seeks approval to build a restaurant building. The site is located southeast US Highway 31 and 146th Street. The site is zoned PUD/Planned Unit Development.

David George, American Consulting was present representing the petitioner. Also in attendance: Eric Strickland of the Kite Companies, Christy Angel, architectural firm.

We have brought samples tonight of the exterior. We feel peak times will be accommodated with the approval of the ADLS for parking modification. The roof is a standard metal, standing seam, copper color, eighteen-gauge aluminum. We have elevations of the signage and monumentation. The awnings are black fabric construction.

Jon Dobosiewicz stated the petitioner had appeared before the Board of Zoning Appeals Hearing Officer and a request for modification of parking requirements was granted. This site has four large restaurants and a large, adjacent retail building. The BZA felt the reduction in parking was appropriate. However, if the other two restaurants materialize, and based on the density of the project, the Fox & Hound Restaurant does conform to the standards. The Department is

recommending that this item be forwarded to the full Commission with a favorable recommendation.

JonDobosiewicz explained that the reduction in parking to 83 spaces allows for a more significant restaurant and it is comparable to surrounding communities parking requirements.

David George explained that given the complex has shared apparent parking with the Lowe's lot, any peak time would be accommodated.

The Fox & Hound would like to proceed with a black awning and eliminate the green.

Mark Ratterman moved to recommend approval of Docket No. 04050046 ADLS, Fox & Hound to the full Commission, seconded by Madeleine Torres, Motion carried Five (5) in favor, None opposed.

Note: Items 6,7, and 8 were heard together and voted separately.

6. Docket No. 04050051 Z: Alexandria of Carmel / Edward Rose Rezone

Filed by Paul Reis of Drewry Simmons Pitts & Vornehm

The applicant seeks approval to rezone a property from OM/SFA-Single Family Attached to OM/MF-Multifamily. The site is located southeast of Pennsylvania and 131st Streets.

7. Docket No. 04060020 ZW: Alexandria of Carmel

Docket No. 04060020 ZW

Filed by Paul Reis of Drewry Simmons Pitts & Vornehm

The applicant seeks zoning waiver approval from Chapter 20G.5.2 (D)3 all-brick elevations
The site is located southeast of Pennsylvania Street and 131st Street.

Docket No. 04050052 ADLS: Alexandria of Carmel

Filed by Paul Reis of Drewry Simmons Pitts & Vornehm

The applicant seeks approval for multi-family buildings. The site is located southeast of Pennsylvania Street and 131st Street. The site is zoned OM/MF - Old Meridian Multi-Family.

Paul Reis appeared before the Committee representing the petitioner. Also in attendance: Mike Gorman, Steve Horman, John Houchin from Edward Rose Properties; and D.J. O'Toole from Cripe Engineers.

Briefly stated, when the Old Meridian District was set up, property lines were not taken into account when establishing some of the zoning districts. As a consequence, the primary portion of land that constitutes this project was owned by Summer Trace. Summer Trace sold their excess land and a portion of it was in the multi-family district, a small sliver that will be adjacent to the future Grand Boulevard is single-family attached. The petitioner is proposing to rezone a portion of the eastern side. The rezone portion will allow portions of the north and south for future development for single-family attached. We have addressed the Department Report issues. Mr. Swift had concerns about drainage and we have satisfied those concerns.

Department Comments, Jon Dobosiewicz: Regarding the rezone the Department recommends forwarding with a favorable recommendation. For clarification purposes, the area in Tab 3 needs to be identified on the Exhibit with Grand Boulevard showing a 50-foot one-half right-of-way. The petitioner's intention is to construct and dedicate the half on their property to the City.

The second petition before the Committee is for a Zoning Waiver on the brick elevations for the property specifically at the corner of Pennsylvania and Old Meridian. If those elevations are consistent, the Department is satisfied.

The third item is for ADLS approval for the corner. One issue from the petitioner's attorney was for clarification of right-of-way dedication at the corner of Pennsylvania Street and West Main. There is a line along Pennsylvania Street and a line along West Main Street. The understanding is that the petitioner is preparing documents for the Board of Public Works consideration of dedication of thoroughfare prescribed right-of-way for Main and Pennsylvania. This would bring the property in conformance and would require that the buildings be brought up to the right-of-way. The dedication puts them in compliance. The City would like to begin the construction of the roundabout at Pennsylvania and West Main Street.

Committee Comments: We agree that this will need to have right-of-way dedication. Can we get a casual opinion from the City Engineer for approximate right-of-way diameter for the roundabout? What about parking? It would appear that this project is lacking. We would also like to see some trees and shrubs added in the northwest corner.

Paul Reis said he would come back with more specific information. There is parallel parking along Grand Boulevard; parking to the west; and garages inside the buildings. The buildings are oriented toward Pennsylvania Street, so we are not in favor of planting trees and greenery where no one will appreciate it.

Mark Rattermann moved to recommend approval of the Rezone, Zoning Waivers, and ADLS to the full Commission with commitments regarding the right-of-way dedication for the roundabout, seconded by **Madeleine Torres**, Motion carried Five (5) in favor, zero (0) opposed.

8. Docket No. 04070001 ADLS Amend:
Original Plat of Carmel, lot 14 - Lucy Q's Boutique
Filed by Sue Colle

The applicant seeks approval for a ground sign. The site is located at the southwest corner of Range Line and 1st Street NW.

Sue Colle appeared before the Committee representing the applicant. Approval is requested for a ground sign, approximately 4 feet by 5 feet, with landscaping around the base of the sign. The material of the sign is “alumilite coralplass” sandwiched in aluminum sheets. The border around the sign will be red brick cut scalloped, six feet across, 3 feet mulch, with two floodlights on either side.

The wrought iron porch ornament will remain; a small oval saying “Lucy Q’s” will be on the wrought iron as well as the birdfeeder.

Department Comments, Jon Dobosiewicz. The Department is recommending approval subject to the light fixture approval by the Department. There are no additional comments or concerns. The oval is small and does not need approval.

Mark Rattermann moved for approval subject to approval of lighting fixtures by the Department, seconded by **Madeleine Torres**, Motion carried: Five (5) in favor, zero (0) opposed.

9. Docket No. 04070024 ADLS Amend: CMC Properties, Sec 2, lot 3
Filed by Ali Pournourbakhsh of Mazda Sign, Inc.

Ali Pournourbakhsh of Mazda Sign appeared before the Committee seeking approval for a wall sign on the east side facing US 31. The site is located at 13295 Meridian Corners. The site is zoned B-5/Business within the US 31 Overlay. Initially, two signs were requested; the sign on the west side was eliminated and no longer a part of this request.

The Department would like to see the design “CMC Office Center” on one line and the logo off center and at 25% rather than stacking on center. Some old Logos from 2001 were distributed for comparison. The Committee encouraged the petitioner to keep the original “CMC Office Center” Logo and for the letter mounting not to straddle the two-tone brick face. The Department suggested use of “Option One”, on a single line. No further comments or concerns.

Madeleine Torres moved for approval of the sign with same size and height letters, on one line, with the logo off center at 25% in size, seconded by **Mark Rattermann**. Motion carried: Five (5) in favor, zero (0) opposed. (The word “Center” is moved to the far left, and “Office” dropped down, “CMC” will be the same height, centered)

*Note: The Department will send the petitioner a drawing of the approved design.

10. Docket No. 04070012 ADLS Amend: Kroger @ Range Line - Drive Thru Pharmacy

Filed by Victor Berlage for the Kroger Company.

The applicant seeks approval for drive-thru canopy & signage. The site is located at 1217 South Range Line. The site is zoned B-8/Business.

Larry Kemper, Attorney with Nelson & Frankenberger, 3105 East 98th Street appeared before the Committee representing the applicant. Also in attendance: Victor Berlage; Daniel Deciccio, Diana Crabtree from The Kroger Company, and Aaron Mills from Cripe Engineering.

The Kroger building is located at the southeast corner of Range Line Road and Executive Drive on a parcel slightly less than 7 acres. The building currently contains a grocery store and pharmacy. The surrounding uses include the Walgreen's Pharmacy to the north, Pizza Hut to the south, and various retail and commercial uses to the east and west.

In connection with this request, Kroger is also requesting two developmental standards variances for signage. The variance allowing the Pharmacy identification sign applies to the type of sign; the second variance applies to the number of signs. If granted, the additional sign would be the Charter One Bank sign shown as submitted. The previously approved Bank One sign obtained ADLS approval on June 1, 2004.

The pharmacy that currently exists within the Kroger building would be re-located to the southwest corner of the building. In order to better serve its customers, Kroger proposes to add a drive-thru window to provide community access to the pharmacy. The building materials are consistent with the existing building and will blend nicely with the existing building. The width of the drive-thru is 12 feet, approximately 24 feet between the external wall of the drive-thru and the parking area. The drive-thru also allows for stacking between cars.

This proposal has been to TAC review, and the main comment was from the Fire Dept. who requested installation of traffic directional signs indicating the entrance to the drive-thru, the exit, and the clearance. After further review, the Fire Dept. agreed to the removal of the clearance sign from the northern elevation of the drive-thru, since entrance from that side is the exit and entrance is inappropriate.

In addition to the construction of the drive-thru, Kroger is also requesting ADLS approval of the signage associated with the drive-thru. The proposed signage is an identification sign consisting of a mortar and pestle with the "Rx" logo super-imposed on the mortar and pestle next to the words "drive-thru." The proposed sign is a solid face, illuminated, with channel letters flush-mounted to the fascia of the building. The dimension of the mortar and pestle are 42 inches by 28 inches and occupies approximately 8.16 square feet. The dimension of the drive-thru lettering is 17.5 inches by 162 inches, approximately 19.69 square feet, resulting in total square footage of just under 28 square feet. Under the Ordinance, Kroger would be entitled to a sign consisting of 105 square feet in area. In this particular instance, Kroger is requesting a sign that is slightly under 28 square feet in area. As mentioned previously, the Fire Dept. requested the installation of the traffic directional signs and they are located on the northern and southern elevation of the drive-thru.

In conclusion, the Kroger drive-thru would provide a great benefit to Kroger customers and also would allow the convenience of obtaining access to the pharmacy without leaving their vehicle. This will provide a great amenity to the older patrons of the Kroger pharmacy as well as the younger patrons who have young children and would like to avoid the hassle of taking their children into the grocery store. The proposed signage is also necessary in that it would inform the general public as to the existence and location of the pharmacy.

The Department recommends that the Special Studies Committee approve the request after all comments and concerns have been addressed.

Committee Comments: Concern by the Committee for pedestrian and vehicular traffic with the current design. This proposal will necessitate traffic crossing traffic the wrong direction to get into the drive-thru. Mr. Kemper responded that the drive-thru direction actually flows with the traffic.

The Committee recommended directional signs. The Department recommended “drive-thru” lettering mounted to the building with no raceway.

Jerry Chomanczuk expressed concern with elderly and infirm pedestrian traffic crossing the parking lot and entering where people will exit. The stream of traffic is smack in the middle of the traffic line. Walgreens drive-thru pharmacy is to the back of the building and there is no pedestrian traffic. Looking at Kroger—there is also a drive to the east for parking, truck deliveries, etc. This may or may not lend itself to creating a drive-thru in this area. Again, the concern is pedestrian traffic crossing the drive-thru area.

Mark Rattermann commented that every Wendy’s and every McDonald’s has the same problem. Perhaps the drive-thru on the north side of the building would be a more appropriate location. The drive-thru would be immediately visible entrancing from Executive Drive. Overall, this may be difficult for people to get into—this is not a planning/zoning decision—if it doesn’t work, people will not use it.

Larry Kemper suggested installing a sign on Executive Drive to indicate the entrance to the drive-thru pharmacy.

Mark Rattermann moved for approval of Docket No. 04070012 ADLS Amend, Kroger @ Range Line Drive-Thru Pharmacy signage, subject to confirmation that the sign will be individual rather than channel letters, the “Do Not Enter” and “Open” signs will be installed per the Dept. recommendation, and total compliance with items 1 and 2 of the Department Report dated August 3, 2004, seconded by **Madeleine Torres**, Motion carried: Five (5) in favor, zero (0) opposed.

11. Docket No. 04070025 ADLS Amend: Century 21-Alexander (ADLS Amendment)

The applicant seeks approval for a building addition including exterior modifications. The site is located at 11411 Michigan Road. The site is zoned B-5/Business.

David Warshauer, attorney, 11 South Meridian Street, Indianapolis appeared before the Committee representing Jerry Alexander, petitioner. We are here tonight for the approval of an additional dormer in similar size and design as those existing, and also to replace the existing front windows and install the same type of brick as used in the sign that was approved. These changes will retain the residential character of the structure and were not intended to “cheapen” the structure.

One of the comments in the Dept. Report suggested surveying the adjoining neighbors for opinions on the proposed elevation changes, since this request is not a public hearing item and no publication of notice was required. Mike Andreolli, the attorney for Woodhaven, submitted a letter indicating that the residents are grateful to the Department for its diligence but that they have no objection to the amendments proposed.

Jon Dobosiewicz confirmed the letter received from Mr. Andreolli that is now a part of the file. At this time, the Department recommends approval and has no further comments or concerns.

Mark Ratterman moved for approval of Docket No. 04070025 ADLS Amend, Century 21 Alexander ADLS Amendment, seconded by **Madaleine Torres**, Motion carried: Five (5) in favor, zero (0) opposed.

12. Docket No. 04070026 ADLS Amend: Riverview Medical, Phase I

Filed by Jim Shinaver of Nelson & Frankenberger

The applicant seeks approval of exterior building modifications. The site is located southeast of Hazel Dell Parkway and 146th Street. The site is zoned PUD/Planned Unit Development.

Jim Shinaver, attorney with Nelson & Frankenberger appeared before the Committee representing the applicant. Also in attendance was Jay Ebert, Vice President of Support Services for Riverview Hospital.

Riverview Medical Park will be the tenant for parcel 1. Parcel 1 contains two buildings, referred to as building A on the northern portion of the site, and building B on the southern portion of the site.

Riverview is not seeking any variances or waivers from the approved PUD Ordinance. Riverview does desire to make slight revisions to the approved building elevations. The proposed changes are believed to be consistent and compatible with the elevations previously approved.

Jay Ebert then addressed the Committee and compared what was initially approved with the proposed revisions. Building B allowed for future expansion and had a double canopy on the front of the building and a canopy on the second building. A canopy on the second building was approved recently so that the building would have a covered drop-off area on the back building. The current request is to actually expand the back building into the future area so that a larger building can be built to bring the building up to approximately 20,000 square feet. The canopy is reduced over the drive-thru at the front building; otherwise, the footprint remains the same. There is now only one drive-thru; the two-story atrium has been reduced, ceiling lowered and one gable change to the back of the building. The "Jack Arches" have been changed to soldiers. The brick will be the same material as initially approved. With the building expansion, the offices will be located on the first floor and the rehab area will be expanded.

Department Comments, Jon Dobosiewicz: The Department has no concerns or comments.

Committee: The Committee likes the recommended changes and is in favor of the amendment.

Mark Ratterman moved for approval of Docket No. 04070026 ADLS Amend, Riverview Medical, Phase I, seconded by **Wayne Haney**, Motion carried: Five (5) in favor, zero (0) opposed.

13. Docket No. 04070032 ADLS Amend: Mayflower Park, Blk 6, lot 2 - Ed Martin
Filed by John Bennett of A/E Technologies

The applicant seeks design approval for signage. The site is located southwest of Michigan Road and 99th Street. The site is zoned I-1/Industrial and is within the US 421 Overlay.

John Bennett of A/E Technologies appeared before the Committee representing the applicant. The petitioner has appeared before the BZA for approval of an alternate design for signage on the front façade of the building. The BZA approved the request, subject to conditions of the service sign being limited to 9 square feet and the owner has agreed.

At this time, the petitioner is requesting approval for all red signage. Mr. Martin would like to use the Marten Blue for his logo, but upon further reflection, felt that it might not be as visible on the facility. Therefore, Mr. Martin has simplified his request by using all consistent color. At this time, the petitioner is requesting approval of all red signage.

The Department reserves the right to comment until the review of Ed Martin Buick. There will probably be recommendations as to the location of signage.

The Committee had no additional comments or further concerns.

Mark Rattermann moved for approval of Docket No. 04070032 ADLS Amend, Mayflower Park, Blk 6, Lot 2, Ed Martin, seconded by **Steve Stromquist**, Motion carried: Five (5) in favor, zero (0) opposed.

The meeting adjourned at 11:45 PM.

Pam Babbitt, Acting Secretary

Jerry Chomanczuk, Chairperson